



General Assembly

February Session, 2002

***Raised Bill No. 5747***

LCO No. 2313

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING THE DEFINITION OF A PERSON IN THE  
PENAL CODE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2002*) As used in sections 53a-  
2       54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-  
3       56b, 53a-57, 53a-58, 53a-59, 53a-60, 53a-60a, 53a-60d, 53a-61, 53a-63 and  
4       53a-64 of the general statutes, "person", when used to describe the  
5       victim of an offense, includes a viable fetus.

6       Sec. 2. (NEW) (*Effective October 1, 2002*) In any prosecution for a  
7       violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a,  
8       53a-56, 53a-56a, 53a-56b, 53a-57, 53a-58, 53a-59, 53a-60, 53a-60a, 53a-  
9       60d, 53a-61, 53a-63 or 53a-64 of the general statutes where the victim  
10      was a viable fetus, it shall be an affirmative defense that: (1) The  
11      defendant was the mother of such fetus, or (2) the defendant was a  
12      health care provider and the commission of such violation was  
13      necessary to preserve the life or health of the pregnant woman.

This act shall take effect as follows:

Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

***Statement of Purpose:***

To provide that a person may be charged with and convicted of homicide, assault or reckless endangerment when the victim of the offense is a viable fetus.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*